

9 FAM 42.64

Passport requirements.

(TL:VISA-184; 01-22-1999)

(a) Passport defined.

(TL:VISA-3; 8-30-87)

“Passport,” as defined in INA 101(a)(30), is not limited to a national passport or to a single document. A passport may consist of two or more documents which, when considered together, fulfill the requirements of a passport, provided that documentary evidence of permission to enter a foreign country has been issued by a competent authority and clearly meets the requirements of INA 101(a)(30).

(b) Passport validity requirements.

(TL:VISA-184; 01-22-1999)

Except as provided in section 42.2, every applicant for an immigrant visa shall present a passport, as defined in INA 101(a)(30), that is valid for at least 60 days beyond the period of validity of the visa. The 60-day additional validity requirement does not apply to an applicant who would be excepted as provided in section 42.2 were it not for the fact that the applicant is applying in the country of which the applicant is a national and the possession of a passport is required for departure. Such an applicant may be issued a visa valid for 6 months or for such shorter period as will assure its expiration in unison with the passport.

[Amended by 63 FR 48577, Sept. 11, 1998.]

(c) A single passport including more than one person.

(TL:VISA-3; 8-30-87)

The passport requirement of this section may be met by the presentation of a passport including more than one person, if such inclusion is authorized under the laws or regulations of the issuing authority and if a photograph of each person 16 years of age or over is attached to the passport by the issuing authority.

9 FAM 42.64 Related Statutory Provisions

INA 101(a)(30)

(TL:VISA-3; 8-30-87)

(30) The term “passport” means any travel document issued by competent authority showing the bearer’s origin, identity, and nationality if any, which is valid for the entry of the bearer into a foreign country.

INA 222(b), in part

(TL:VISA-3; 8-30-87)

(b) Every alien applying for an immigrant visa shall present a valid unexpired passport or other suitable travel document, or document of identity and nationality, if such document is required under the regulations issued by the Secretary of State.